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Agenda item 163
Review of the implementation of General Assembly resolution 48/218 B

Draft resolution submitted by the Vice-Chairman following informal consultations

Review of the implementation of General Assembly resolution 48/218 B

The General Assembly,

Reaffirming the relevant Articles of the Charter of the United Nations,

Recalling its resolution 48/218 B of 29 July 1994,

Having evaluated and reviewed the functions and reporting procedures of the Office of Internal Oversight Services, as called for in paragraph 13 of resolution 48/218 B,

Reaffirming its role as one of the principal organs of the Organization as laid out in the Charter,

Reaffirming also that the purpose of the Office of Internal Oversight Services is to assist the Secretary-General in fulfilling his internal oversight responsibilities in respect of the staff and the resources of the Organization,

Reaffirming further its resolution 41/213 of 19 December 1986 and the regulations and rules of the United Nations,

Reaffirming the separate and distinct roles of internal and external oversight mechanisms,

1. *Reaffirms* its resolution 48/218 B, subject to the provisions of the present resolution;

2. *Also reaffirms* its role as the principal oversight organ of the Organization;

3. *Recognizes* the importance of the Office of Internal Oversight Services in continuing to assist the Secretary-General in fulfilling his internal oversight responsibilities;

Reporting

4. *Requests* the Secretary-General to transmit the reports of the Office of Internal Oversight Services to the General Assembly for its consideration and action, in conformity

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with the relevant provisions of the Charter of the United Nations and the rules of procedure of the General Assembly;

5. *Also requests* the Secretary-General to make substantive comments, as appropriate, on the findings and recommendations, and to ensure that the views of the concerned departments on the recommendations are included in the body of the report;

Functions

6. *Emphasizes* that the Office of Internal Oversight Services shall conduct its internal oversight activities strictly in full conformity with General Assembly resolution 48/218 B and subject to the provisions of the present resolution;

7. *Reaffirms* that the Office of Internal Oversight Services, with respect to its inspection and evaluation functions, shall evaluate the efficiency and the effectiveness of the implementation of the programmes and legislative mandates of the Organization, in accordance with paragraph 5 (c) (iii) of General Assembly resolution 48/218 B;

8. *Emphasizes* also that the approval, change and discontinuation of legislative mandates are the exclusive prerogatives of intergovernmental legislative bodies;

9. *Stresses* that the Office of Internal Oversight Services shall not propose to the General Assembly any change in the legislative decisions and mandates approved by intergovernmental legislative bodies;

10. *Recognizes* that the Secretary-General can submit to the General Assembly any proposal for change in the legislative decisions and mandates through the appropriate channels;

Coordination

11. *Emphasizes* the importance of coordination among oversight bodies, and welcomes the periodic meetings between the Office of Internal Oversight Services and the external oversight bodies;

12. *Reaffirms* that the Board of Auditors and the Joint Inspection Unit shall be provided with copies of all reports produced by the Office of Internal Oversight Services, requests that these be made available within one month of their finalization, and further emphasizes the need for their comments, as appropriate;

13. *Decides* to revert to the question referred to in paragraph 11 of its resolution 48/218 B in the context of its consideration of the report of the Secretary-General on enhancing the internal oversight mechanisms in operational funds and programmes[1] and in this connection requests the Secretary-General to update the information in that report;

14. *Also decides* to consider this question at an early stage at its fifty-fifth session;

15. *Further decides* that institutional arrangements governing reimbursements of costs between the Office of Internal Oversight Services and United Nations funds and programmes should be made in accordance with the relevant rules and regulations of the respective funds and programmes, including decisions, as appropriate, by their legislative bodies;

[1] A/51/801.

Investigations

16. *Stresses* that, in respect of the investigation function of the Office of Internal Oversight Services, the Secretary-General shall provide procedures to protect individual rights of staff, including those of staff members making reports to the Investigation Section, and to regulate due process and fairness for all parties concerned;

17. *Requests* the Secretary-General to submit to the General Assembly for its consideration and action, in conformity with the relevant provisions of the Charter of the United Nations and the rules of procedure of the General Assembly, rules and procedures to be applied for the investigation functions performed by the Office of Internal Oversight Services in order to ensure fairness and avoid possible abuse in the investigation process;

Operational independence

18. *Emphasizes* that, in accordance with paragraph 5 (a) of its resolution 48/218 B, the operational independence of the Office of Internal Oversight Services is related to the performance of its internal oversight functions;

19. *Also emphasizes* that recruitment and promotion of staff of the Office of Internal Oversight Services shall be in accordance with the provisions of the Charter, the relevant resolutions and decisions of the General Assembly and staff regulations and rules of the Organization, taking into account Article 101, paragraph 3, of the Charter;

20. *Decides* to evaluate and review the functions and reporting procedures of the Office of Internal Oversight Services and any other matter which it deems appropriate at its fifty-ninth session and to that end to include in the provisional agenda of that session an item entitled "Review of the implementation of General Assembly resolutions 48/218 B and 54/__".